

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO**

SOUTHERN NEW MEXICO  
NEUROSURGERY, LLC,

Plaintiff,

vs.

No. CIV 19-0465 JB

BLAKE HARDIN, AND HARDIN  
TECHNOLOGY, LP,

Defendants.

**ORDER**<sup>1</sup>

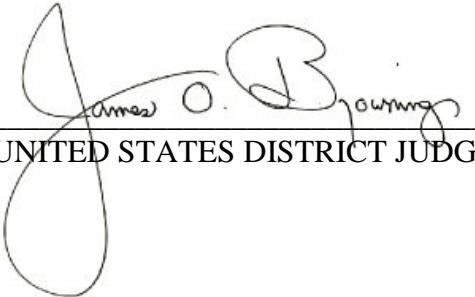
**THIS MATTER** comes before the Court on: (i) the Nonparties’ Motion to Quash Subpoenas and For Protective Order, filed October 7, 2019 (Doc. 88)(“Motion to Quash”); and (ii) the Nonparties’ Oral Emergency Motion to Reconsider, made October 29, 2019 (“Motion to Reconsider”). The Court held hearings on October 23, 2019, and October 29, 2019. The primary issues in this case are: (i) whether the subpoenas should be quashed or modified because Southern New Mexico Neurosurgery improperly served the subpoenas to circumvent the state case’s stay and is causing an undue burden to the nonparties who are taking care of an ill family member; and (ii) whether the Court should allow the nonparties to reschedule their depositions because they are out-of-state with an ill family member. For the reasons stated on the October 23, 2019, Motion

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<sup>1</sup>This Order disposes of the Motion to Quash Subpoenas and For Protective Order, filed October 7, 2019 (Doc. 88)(“Motion to Quash”), and the Nonparties’ Oral Emergency Motion to Reconsider, made October 29, 2019 (“Motion to Reconsider”). The Court will issue a Memorandum Opinion at a later date more fully detailing its rationale for the decision.

Hearing's record, and the October 29, 2019, Motion Hearing's record, the Court denies the Motion to Quash and the Motion to Reconsider, and orders the nonparties to appear for their noticed and subpoenaed October 30, 2019, and October 31, 2019, depositions.

**IT IS ORDERED** that the Nonparties' Motion to Quash Subpoenas and For Protective Order, filed October 7, 2019 (Doc. 88), and the Nonparties' Emergency Oral Motion to Reconsider, made October 29, 2019, are denied and the nonparties are ordered to appear for their noticed and subpoenaed depositions on October 30, 2019, and October 31, 2019.



UNITED STATES DISTRICT JUDGE

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